

MR. DEPUTY CHAIRMAN: Q. No 241. ...*(Interruptions)*... Please reply. ...*(Interruptions)*... The Minister is speaking something on this issue. ...*(Interruptions)*... Maitreyanji, kindly listen to him. ...*(Interruptions)*... The Minister is responding to this issue. ...*(Interruptions)*... The Minister is responding to this issue again. ...*(Interruptions)*... Please go back to your seats. ...*(Interruptions)*... आपकी बात रिकॉर्ड पर जाएगी। ...*(व्यवधान)*... Please speak. ...*(Interruptions)*...

SHRI V. MURALEEDHARAN: Sir, I have discussed the matter with the concerned Minister. ...*(Interruptions)*... He is examining the matter. ...*(Interruptions)*... He has said that he is taking it up as a serious issue. ...*(Interruptions)*... After examining the matter, he will come to the House and explain the position tomorrow morning at 11 o' clock. ...*(Interruptions)*...

श्री उपसभापति: मेरा आपसे पुनः आग्रह होगा...*(व्यवधान)*... यह क्वेश्चन ऑवर है।...*(व्यवधान)*... Mr. Siva, please take your seat. ...*(Interruptions)*... If you want to say something, I will allow you. ...*(Interruptions)*... Please call them back. ...*(Interruptions)*... The Minister has already responded to it. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, I want an assurance from the Minister. Let the Minister come. ...*(Interruptions)*...

श्री उपसभापति: मेरा सभी सदस्यों से पुनः आग्रह होगा कि वे सभी अपनी सीट पर जाएं। ...*(व्यवधान)*... यह क्वेश्चन ऑवर है। ...*(व्यवधान)*... क्वेश्चन्स तैयार करने के लिए, जवाब देने के लिए...*(व्यवधान)*..., it takes a lot of energy, time and resources. ...*(Interruptions)*... The House stands adjourned till 2.00 p.m. ...*(Interruptions)*...

WRITTEN ANSWERS TO STARRED QUESTIONS

Online sale of drugs and cosmetics

*242. SHRIMATI SHANTA CHHETRI: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether the Ministry is aware that the Hon' ble Madras High Court had stayed the ban on online sale of drugs and cosmetics;
- (b) whether the Ministry will take necessary measures to create new set of rules under the Drugs and Cosmetics Amendment Rules, 2018 for online sale of medicines; and
- (c) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. HARSH VARDHAN):

- (a) to (c) Taking note of e-pharmacies coming up in the country, Government of India

published draft rules for regulating e-pharmacies on 28th August, 2018. The Tamil Nadu Chemists and Druggist Association filed Writ Petition No. 28716 of 2018 in the Hon'ble Madras High Court against on-line pharmacies.

The Hon'ble High Court of Madras in its order dated 31.10.2018 granted interim injunction against the online sale of medicines without licence and directed to stall such online sales forthwith.

Thereafter, the Hon'ble High Court of Madras, on 17.12.2018, reaffirmed its earlier injunction by *inter alia* ordering as under:—

"38: As the draft rules are framed by the Central Government, after deliberations including the stakeholders, till the aforesaid rules are notified, the on-line traders are bound not to proceed with their on-line business in drugs and cosmetics."

Subsequently, on-line pharmacies represented their point of view before the Hon'ble Madras High Court, and the Hon'ble Court on 02.01.2019 stayed the operation of Para 38 of its Order dated 17.12.2018 referred to above.

The Government had published draft rules vide G.S.R. 817 (E) dated 28th August, 2018 inviting comments from public/stakeholders for regulation of sale and distribution of drugs through e-pharmacy.

The draft rules contain provisions for registration of e-pharmacy, periodic inspection of e-pharmacy, procedure for distribution or sale of drugs through e-pharmacy, prohibition of advertisement of drugs through e-pharmacy, complaint redressal mechanism, monitoring of e-pharmacy, etc.

Subsequent to the publication of draft rules, a large number of comments were received from various stakeholders. These have been duly examined and a number of meetings with stakeholders have also been held. After comprehensive stakeholder consultation, the draft of the notification has been got vetted from Ministry of Law and Justice, and is under issuance.

Brain-drain of doctors and paramedical staff

*243. SHRI ABDUL WAHAB: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that a large number of doctors, nurses and other paramedics have left their jobs in Government hospitals and migrated to foreign countries;

(b) if so, the steps taken to check such brain-drain from premier hospitals under Central Government; and